

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ISAAC WRIGHT, Individually and on)	
Behalf of All Others Similarly Situated,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:22-cv-4553
)	
DRIVERDO, LLC,)	
)	
Defendant.)	

RESPONSE IN OPPOSITION TO MOTION TO CONTINUE DEADLINES

NOW COMES Defendant DriverDo, LLC, by O'Hagan Meyer, its attorneys, and for its Response in Opposition to Plaintiff's Motion to Continue Deadlines states as follows:

1. In the Court's November 14, 2022 Order it set a fact discovery deadline of May 8, 2023.
2. The purpose of discovery deadlines is to help parties move cases along diligently and efficiently. *See Smith v. Severn*, 129 F.3d 419, 425 (7th Cir. 1997) ("the rules are intended to force parties and their attorneys to be diligent in prosecuting their causes of action.")
3. Fact discovery was opened for about 6 months in this case.
4. Defendant has deposed Plaintiff and the parties exchanged and answered written discovery.
5. Plaintiff never deposed any of Defendant's witnesses and Defendant does not intend to depose anymore witnesses as the case currently stands.
6. Defendant anticipates moving for summary judgment and believes it has a viable summary judgment argument with undisputed facts that contradict the allegations in the Complaint.

7. Defendant is awaiting the June 7, 2023 deadline for Plaintiff to disclose an expert.

8. If Plaintiff does not disclose an expert then Defendant does not anticipate having an expert in this case.

9. If Plaintiff does not disclose an expert, Defendant anticipates filing a Motion for Summary Judgment by July 7, 2023.

10. Defendant concedes that if the conditional certification is granted then there will be a need for more discovery in the case.

11. However, no conditional certification has been granted at this time and Defendant would be inhibited from filing a Motion for Summary Judgment while fact discovery is still pending.

12. Defendant is currently working on responding to the Court's Order dated May 11, 2023 to show that every driver that contracted with Defendant signed an arbitration agreement.

13. Defendant anticipates filing by May 26, 2023 that information as ordered by the Court.

WHEREFORE, Defendant respectfully requests this Court keep fact discovery closed.

Respectfully submitted:

/s/ Ryan T. Benson

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CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2023, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

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